IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25476 of 2008
ZUBAUDA KHATOON & ANR
Versus
STATE OF BIHAR
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2. 9.7.2008 Heard.

Petitioner Zubaida Khatoon is the mother-in-law and petitioner Sibi Khatoon is the sister-in-law of the informant. The case is under section 498A of the Indian Penal Code and the allegation is that for not getting additional dowry desired by the accused persons, the lady was assaulted and tortured and was attempted to be burnt but on her crying for mercy, she was spared and pushed out of matrimonial house. Petitioners being lady, mother and sister of the husband, is in custody since 14.1.2007.

Learned Judge who dismissed the prayer for bail appears applying poor standard of appreciations, else , he ought not to have missed vital circumstances in his order, like, crying for mercy and on that being pushed out of the matrimonial house. There needs a more distinct appreciation on a prayer for bail and if such prayers are dismissed in a case under section 498A of the Indian Penal Code, there could not be an end of filing of petitions before this Court of the present nature. The petition is allowed and two petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.2000/-(Two thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawadah, in connection with Warisaliganj P.S. case no.98 of 2006.

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sudip **(Dharnidhar Jha, J)**